

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALEXANDER STYLLER, INTEGRATED
COMMUNICATIONS & TECHNOLOGIES,
INC., JADE CHENG, JASON YUYI, CATHY
YU, CAROLINE MARAFAO CHENG,
PUSHUN CHENG, CHANGZHEN NI,
JUNFANG YU, MEIXIANG CHENG,
FANGSHOU YU, and CHANGHUA NI,

Plaintiffs,

vs.

HEWLETT-PACKARD FINANCIAL
SERVICES COMPANY, HEWLETT-
PACKARD FINANCIAL SERVICES (INDIA)
PRIVATE LIMITED, HP INC., HEWLETT
PACKARD ENTERPRISE COMPANY, and
DAVID GILL,

Defendants.

Civil Action No. 1:16-CV-10386 (LTS)

**DEFENDANTS' DAUBERT MOTION TO EXCLUDE
THE TESTIMONY OF NICHOLAS XUANLAI FANG, PH.D.**

Pursuant to Federal Rules of Evidence 702 and 703, Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill, move to exclude the December 16, 2019 Expert Report of Nicholas Xuanlai Fang, Ph.D. ("Fang Report"), offered by Plaintiffs. For the reasons set forth in the accompanying Memorandum, the Fang Report does not reflect any scientific, technical, or other specialized knowledge that will assist the trier of fact, and serves merely as an improper conduit for inadmissible hearsay evidence. Accordingly, Defendants respectfully request that this Court strike the testimony set forth in the Fang Report.

Defendants file in support of this Motion the accompanying (i) Memorandum; and (ii) Declaration of Kevin C. Quigley and exhibits thereto.

Dated: March 16, 2020

Respectfully submitted,

/s/ Michael H. Bunis

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Counsel for Defendants

CERTIFICATION UNDER LOCAL RULE 7.1(a)(2)

I, Kevin C. Quigley, counsel for Defendants, certify that on March 13, 2020, I conferenced by telephone with Dimitry Joffe and Josh McGuire, counsel for Plaintiffs, concerning the subject of this Motion. We conferred in good faith, but were unable to resolve or narrow the issues in dispute.

/s/ Kevin C. Quigley
Kevin C. Quigley

CERTIFICATE OF SERVICE

I, Christina T. Lau, Attorney for Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill, hereby certify that the foregoing document was filed using the CM/ECF system and electronic notice will be sent to registered participants as indicated on the Notice of Electronic Filing (NEF) on March 16, 2020.

/s/Christina T. Lau
Christina T. Lau

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